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7  
8 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

9 JOE HUANG, INDIVIDUALLY AND ON  
10 BEHALF OF ALL OTHERS SIMILARLY  
SITUATED,

11 Plaintiffs,

12 vs.

13 AVALANCHE BIOTECHNOLOGIES, INC.,  
14 THOMAS W. CHALBERG, JR., AND LINDA C.  
BAIN,

15 Defendants.

16 JEFFREY GALERMAN, Individually and on  
Behalf of All Others Similarly Situated,

17 Plaintiffs,

18 vs.

19 AVALANCHE BIOTECHNOLOGIES, INC.,  
20 THOMAS W. CHALBERG, JR., and LINDA  
C. BAIN,

21 Defendants.

22 MARK MONDANARO, Individually and on  
23 Behalf of All Others Similarly Situated,

24 Plaintiffs,

25 vs.

26 AVALANCHE BIOTECHNOLOGIES, INC.,  
27 THOMAS W. CHALBERG, JR., and LINDA C.  
BAIN,

28 Defendants.

Case No. 3:15-cv-03185-SC

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER  
CONSOLIDATING RELATED  
ACTIONS; SETTING THE TIME FOR  
DEFENDANTS' RESPONSE TO  
PLAINTIFFS' CONSOLIDATED  
COMPLAINT AND ANY RELATED  
BRIEFING; AND STAYING  
DISCOVERY AND OTHER  
ACTIVITIES**

Case No. 3:15-cv-03231-BLF

Case No. 3:15-cv-03281-RMW

Pursuant to Fed. R. Civ. P. 16, Civil L.R. 23-1(b), and Manual for Complex Litigation, Fourth §§ 11.12, 11.21 and 31 (2004), the parties stipulate, and the Court hereby orders, as follows:

### **CONSOLIDATION OF RELATED CASES**

1. The actions listed on Exhibit A are related cases within the meaning of Civil L.R. 3-12. Pursuant to Fed. R. Civ. P. 42(a), these cases are hereby consolidated into Civil Action No. 15-cv-03185-SC for pretrial proceedings before this Court. The consolidated action shall be captioned: *In re Avalanche Biotechnologies Securities Litigation*.

2. All related actions that are subsequently filed in, or transferred to, this District shall be consolidated into this action for pretrial purposes. This Order shall apply to every such related action, absent order of the Court. Any party that objects to such consolidation, or to any other provision of this Order, must file an application for relief from this Order within thirty (30) days after the date on which a copy of the order is mailed to the party's counsel, pursuant to Paragraph 7, *infra*.

3. This Order is entered without prejudice to the rights of any party to apply for severance of any claim or action, for good cause shown.

### **MASTER DOCKET AND CAPTION**

4. The docket in Civil Action No. 15-cv-03185-SC shall constitute the Master Docket for this action.

5. Every pleading filed in the consolidated action shall bear the following caption:

### **UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA**

In re AVALANCHE BIOTECHNOLOGIES  
SECURITIES, LITIGATION

Master File No.

15-cv-03185-SC

CLASS ACTION

This Document Relates To:

6. The file in Civil Action No. 15-cv-03185-SC shall constitute a Master File for every action in the consolidated action. When the document being filed pertains to all actions, the phrase “All Actions” shall appear immediately after the phrase “This Documents Relates To:”. When a pleading applies only to some, not all, of the actions, the document shall list, immediately after the phrase “This Documents Relates To:”, the docket number for each individual action to which the document applies, along with the last name of the first-listed plaintiff in said action (*e.g.*, “Civil Action No. 15-cv-03185-SC (Huang)”).

7. The parties shall file a Notice of Related Cases pursuant to Civil L.R. 3-12 whenever a case that should be consolidated into this action is filed in, or transferred to, this District. If the Court determines that the case is related, the clerk shall:

- (a) place a copy of this Order in the separate file for such action;
- (b) serve on plaintiff’s counsel in the new case a copy of this Order;
- (c) direct that this Order be served upon defendants in the new case; and
- (d) make the appropriate entry in the Master Docket.

#### **LEAD PLAINTIFF’S COUNSEL**

8. After the Court has designated a Lead Plaintiff, pursuant to 15 U.S.C. § 78u-4(a)(3)(B), the Lead Plaintiff shall designate a law firm or firms to serve as Lead Plaintiff’s Counsel, pursuant to 15 U.S.C. § 78u-4(a)(3)(B)(v). Lead Plaintiff’s Counsel shall have authority to speak for, and enter into agreements on behalf of, plaintiffs in all matters regarding pretrial procedures, discovery, and settlement negotiations. Lead Plaintiff’s Counsel shall manage the prosecution of this litigation to avoid duplicative or unproductive activities. Lead Plaintiff’s Counsel shall be responsible for coordination of all activities and appearances on behalf of plaintiffs and for dissemination of notices and orders. Lead Plaintiff’s Counsel shall be responsible for communications with the Court. Lead Plaintiff’s Counsel shall maintain a master service list of all parties and counsel.

9. Defendants’ counsel may rely upon agreements made with Lead Plaintiff’s Counsel. Such agreements shall be binding on all plaintiffs.

**PLEADINGS, MOTIONS, AND OTHER ACTIVITIES**

10. Defendants are not required to respond to the complaints filed in any action consolidated into this action, other than a consolidated complaint or a complaint designated as the operative complaint by the Lead Plaintiff.

11. Lead Plaintiff shall file a consolidated complaint within sixty (60) days after the order designating the Lead Plaintiff is entered, unless otherwise agreed upon by the parties. The consolidated complaint shall be the operative complaint and shall supersede all complaints filed in any of the actions consolidated herein.

12. Defendants shall respond to the consolidated complaint within sixty (60) days after service, unless otherwise agreed upon by the parties. If defendants file any motions directed at the consolidated complaint, the opposition and reply briefs shall be filed within forty-five (45) days and seventy-five (75) days, respectively, of that response, unless otherwise agreed upon by the parties.

13. Apart from any briefing relating to the selection of the lead plaintiff and lead plaintiff's counsel, all discovery and other activities shall be stayed until after Defendants respond to the consolidated complaint and after any briefing related to Defendants' response to the consolidated complaint, unless otherwise agreed upon by the parties or ordered by the Court.

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1 DATED: September 2, 2015

Respectfully submitted,

2 MUNGER, TOLLES & OLSON LLP

3  
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10 *Attorneys for Defendant Avalanche*  
11 *Biotechnologies, Inc.*

12  
13 DATED: September 2, 2015

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20 *Attorneys for Plaintiff Joe Huang*

1 DATED: September 2, 2015

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12 DATED: September 2, 2015

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*Attorneys for Plaintiff Jeffrey Galerman*

**Filer's Attestation**

I, Adam I. Kaplan, am the ECF user whose identification and password are being used to file this JOINT STIPULATION AND PROPOSED ORDER. I hereby attest that the other above-named signatories concur in this filing.

DATED: September 2, 2015

By: /s/ Adam I. Kaplan  
ADAM I. KAPLAN

THE FOREGOING STIPULATION  
IS APPROVED AND IS SO ORDERED.

DATED: 09/22/2015

  
United States District Judge

# **EXHIBIT A**



**Exhibit A**

1. *Joe Huang, Individually and on Behalf of All Others Similarly Situated, v. Avalanche Biotechnologies, Inc., Thomas W. Chalberg, Jr., And Linda C. Bain*, Case No. 3:15-cv-03185-SC (filed July 9, 2015)
2. *Jeffrey Galerman, Individually and on Behalf of All Others Similarly Situated, v. Avalanche Biotechnologies, Inc., Thomas W. Chalberg, Jr., And Linda C. Bain*, Case No. 3:15-cv-03231-BLF (filed July 13, 2015)
3. *Mark Mondanaro, Individually and on Behalf of All Others Similarly Situated, v. Avalanche Biotechnologies, Inc., Thomas W. Chalberg, Jr., And Linda C. Bain*, Case No. Case No. 3:15-cv-03281-RMW (filed July 14, 2015)